

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DETRECK GOLES,

Petitioner,

v.

ORDER

Civil File No. 08-559 (MJD/AJB)

WARDEN RICARDO RIOS,

Respondent.

Detreck Goles, pro se.

Erika R. Mozangue, Assistant United States Attorney, Counsel for Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of Magistrate Judge Arthur J. Boylan filed March 17, 2008.

[Docket No. 4] The Report and Recommendation recommends that Petitioner's Petition for Writ of Habeas Corpus be dismissed without prejudice for failure to exhaust administrative remedies.

Petitioner Detreck Goles has filed objections to the Report and Recommendation. The Government has filed a response to his objections.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court adopts the Report and Recommendation filed March 17, 2008. Goles has failed to exhaust administrative remedies. Additionally, he has not shown that exhaustion would be futile because there is no evidence that the Bureau of Prisons is, in fact, requiring Goles to register as a sex offender or that the Bureau of Prisons has a policy that requires Goles to register as a sex offender. Instead, as demonstrated by Goles' filings, the Bureau of Prisons is requiring Goles to sign an agreement that he will comply with any applicable sex offender registration laws in the state of his Residential Reentry Center placement. (The Government's Declaration of Angela Buege further confirms this fact).

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Magistrate Judge's Report and Recommendation filed March 17, 2008 [Docket No. 4] is hereby **ADOPTED**.

2. Petitioner's Petition for Writ of Habeas Corpus [Docket No. 1] is
DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 12, 2008

s / Michael J. Davis
Judge Michael J. Davis
United States District Court